

LOCAL AGENCY FORMATION COMMISSION
of
MODOC COUNTY

Application Form

AGENCY-PROJECT	SHORT FORM DESIGNATION

Use supplemental pages as necessary, and reference all attachments on the attachment list

1. Subject Property

PROJECT TITLE:		ADDRESS OR LOCATION:
ACREAGE:	PARCEL NO.:	

2. Proposal

Applicants request the following change of organization: _____

3. Applicants

LAFCo will send copies of the staff report on the proposal to the following (maximum of 3):

NAME:	PHONE:
ADDRESS:	

NAME:	PHONE:
ADDRESS:	

NAME:	PHONE:
ADDRESS:	

4. Authority to File Application

{ } Petition of landowners or registered voters { } Resolution of Application of an affected agency

Certified copies of the Petition or Resolution of Application are included as Attachment ____.

Petitions and Resolutions of Application must meet certain legal requirements. The Application Instructions include samples for applicant use.

5. Statement of Justification and Plan for Services

Provide a Statement of Justification for and explain the purpose of each request for change of organization. Include in the statement reasons why the proposal is more effective than the present

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organization and/or what services to the area are to be enhanced by the project. If any terms or conditions are proposed for this project, include them in the statement.

A Statement of Justification for this proposal is included as Attachment ____.

Government Code Section 56653 outlines the requirements for a Plan for Services to be submitted to LAFCo whenever a local agency submits a resolution of application.

A Plan for Services for this proposal is included in Attachment _____.

6. Boundaries

- a. An 8.5 x 11 map of the subject territory meeting the specifications listed in the Application Instructions is included as Attachment ____.
- b. A boundary description of the boundaries of the subject territory meeting the specifications listed in the Application Instructions is included as Attachment ____.
- c. Describe how the boundaries of this proposal were determined. _____

- d. This proposal { } is { } is not (*check one*) consistent with the sphere of influence of all the affected agencies. (*If you are not sure of each agency's sphere boundaries, check with LAFCo staff.*)
- e. Describe access to the area. _____

7. Neighboring Properties

- a. A Public Notice List mailing label list for registered voters and land owners meeting the specifications listed in the Application Instructions is included as Attachment ____.
- b. Have surrounding property owners been canvassed for participation in the proposal? _____
Results of any survey of surrounding property owners are included as Attachment ____.

8. Land Use

- a. Describe existing land use within the subject property. _____

- b. Does this proposal conform to the General Plan designation for the territory? _____
- c. Have any zoning changes, General Plan amendments, subdivision maps, or conditional use permits been applied for on the subject property?
Copies of any such maps and/or applications are included as Attachment ____.
- d. Will any such applications be made after approval of this proposal? _____
If yes, please explain. _____

- e. If this proposal is for an annexation to a city, a prezone map is included as Attachment ____.
- f. Does the project involve agricultural or open space lands? _____ .

9. Public Services

- a. Please indicate which agencies presently provide public services to the subject territory, and which are proposed to provide service. If you are uncertain, you may leave spaces blank.

Service	Present Provider	Proposed Provider
Fire Protection		
Police Protection		
Domestic Water Service		
Agricultural Water Service		
Sewer Service		
Solid Waste		
Road/Street Maintenance		
Snow Removal		
Power		
Street Lighting		
Planning & Zoning Authority		
Schools (elementary, secondary)		

- b. What effect will approval of this proposal have on the type or level of services *within* the subject property? _____

- c. What effect will approval of this proposal have on public services *outside* the subject property? _____

- d. Will approval of this proposal place additional burdens on a public service provider? If so, what revenue will the change in organization generate to compensate the provider for the additional services? _____

- e. Have the affected agencies been notified of this proposal (per G.C. 56654 (b))? ____
 A list of agencies who have received notification is included as Attachment ____.

10. Population

Estimate whether the subject territory contains:

{ } 12 or more registered voters. { } Less than 12 registered voters.

11. Property Tax Exchange

An agreement for property tax exchange (if relevant) must be in place prior to LAFCo approval. The Tax and Revenue Code requires negotiation of such an agreement to be completed within 60 days of initiation by the County Auditor, or the LAFCo application is considered null and void. To assure satisfaction of this requirement, LAFCo requires applications to be accompanied by documentation that property tax negotiations have been completed prior to setting the proposal for a hearing.

- a. If this application includes a Resolution of Application, does the Resolution include or reference documentation that the agencies are in agreement with regards to a Tax Exchange Agreement?

- b. If this application includes a petition, documentation of applicants' request that the affected agencies initiate tax exchange negotiations is included as Attachment ____.

12. Feasibility of Proposal

- a. What revenue will this proposal require for the accomplishment of its goals and what are the prospective sources of such revenues? _____

If the proposal involves a consolidation, incorporation, or formation, a 5 year projected budget is included as Attachment ____.

- b. Is a new tax or assessment being proposed as a part of this project? _____

If so, a thorough discussion of how the service will utilize the tax or assessment, as well as the legal authority for the agency to utilize the tax or assessment is included as Attachment ____.

- c. Have agreements to mitigate the financial effects of this proposal been established with present service providers? _____

If so, signed copies of these agreements are included as Attachment ____.

13. Environmental Compliance

- a. Is the applicant agency acting as { } Lead Agency or { } Responsible Agency (*check one*) for purposes of California Environmental Quality Act (CEQA) compliance?

- i. Indicate what the Lead Agency has done to comply with the requirements of CEQA.

{ } Categorical Exemption from CEQA

{ } Negative Declaration

{ } Environmental Impact Report

{ } Other (*please specify*): _____

- ii. Copies of the complete environmental documentation prepared by the Lead Agency (including the initial study, any technical reports, and any written comments or recorded public testimony relative to the environmental documents), and a copy of the Notice of Determination, showing the date filed with the County Clerk, are included as Attachment ____.

If you are not sure what constitutes the complete environmental documentation, consult with the appropriate staff at the Lead Agency.

- iii. Was the environmental documentation circulated to the Modoc County Local Agency Formation Commission prior to adoption by the Lead Agency? { } Yes { } No

If yes, copies of any comments made by LAFCo relative to the project, and any Lead Agency responses are included as Attachment ____.

- b. In limited circumstances, LAFCo will act as Lead Agency for CEQA purposes. These circumstances are listed in LAFCo's CEQA Guidelines and include situations where the applicant agency is unable or unwilling to act as Lead Agency.

If the applicant agency has declined to act as Lead Agency, and the applicant wishes LAFCo to assume this responsibility, applicant must formally **Request for LAFCo to Act as Lead Agency**.

14. Disclosure Requirements

Pursuant to Government Code Sections 56700.1 and 81000 et seq., any person or group of persons acting in concert who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Modoc LAFCo must comply with the disclosure requirements of the Political Reform Act of 1974 applicable to local initiative measures to be submitted to the electorate. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. Additional information about the

requirements pertaining to local initiative measures to be presented to the electorate can be obtained by calling the fair Political Practices Commission at (916) 322-5660.

15. Certification and Indemnification

Applicant agrees to indemnify, save harmless, and reimburse LAFCo for all reasonable expenses and attorney fees in connection with the defense of LAFCo and for any damages, penalties, fines or other costs imposed upon or incurred by LAFCo should LAFCo be named as a party in any litigation or administrative proceeding in connection with his/her/its application. Applicant agrees that LAFCo shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that LAFCo's taking such actions shall not limit Applicant's obligations to indemnify and reimburse defense costs or relieve Applicant of such obligations.

Applicant may request modification of the terms of this agreement in writing, with supporting reasons. Such modification can be approved only by the full Commission.

Applicants request that proceedings as described in this application be taken in accordance with the provisions of Government Code sections 56000 *et seq.* and hereto affix their signatures:

Date	Signature	Printed Name	Title

Applications will not be accepted without the signature of one or more of the following: 1) the legal owner(s) or official agents with Power of Attorney or written authorization to sign (a copy of which must be attached); 2) Chief Petitioners; 3) Chair of the Legislative Body submitting a Resolution of Application

Submit Application Materials to:

Modoc LAFCo
c/o John Benoit, Executive Officer
P.O. Box 2694
Granite Bay, Ca. 95746

Phone (530) 233-9625
Fax (916) 797-7631
Email: lafco@modoc.lafco.ca.gov

Modoc LAFCo Application Form Project #: _____

Proposal Name _____

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